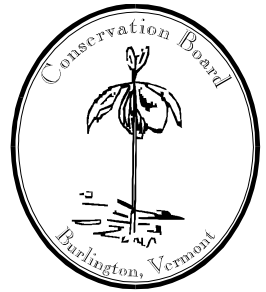


Burlington Conservation Board

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*Miles Waite, Chair
Zoe Richards
Don Meals
Matt Moore
Ryan Crehan
Hannah Brislin
Rebecca Roman
Tori Hellwig
Jules Lees*



Conservation Board Meeting Minutes

Monday, October 5, 2020 – 5:30 pm
Remote Meeting

Attendance

- **Board Members:** Zoe Richards (ZR), Ryan Crehan (RC), Miles Waite (MW), Rebecca Roman (RR), Don Meals (DM), Hannah Brislin (HB), Tori Hellwig (TH), Jules Lees (JL)
- **Absent:** Matt Moore (MM)
- **Public:** None
- **Staff:** Scott Gustin (Permitting & Inspections)

MW, Chair, called the meeting to order at 5:35 p.m.

Minutes

MW, pg. 3, re: 24 Sunset Cliff. This is a minor application that does not require DRB review. We should note as much in the minutes.

A Motion was made by: RR and SECONDED by ZR:

Approve the meeting minutes of September 14, 2020 as amended.

Vote: 6-0-0

JL appeared.

Board Comment

ZR mentioned an upcoming webinar that's pertinent to the Open Space Addendum. It's aimed at the roles of trees and ecosystems in actively pulling carbon out of the air. The webinar is coming up next Wednesday. She'll share the info with others via email.

SG mentioned the upcoming lakeshore erosion control course being offered by the state.

Public Comment

None.

Open Space Subcommittee

SG addressed the open space RFP. Three proposals were received and reviewed tonight. The Open Space Subcommittee is looking to follow up with all who submitted proposals to request some additional info as to research into what nature based solutions are and what they might look like in Burlington. This info would establish the foundation of the public outreach effort to follow.

SG addressed the discussion around opening up the BCLF application to smaller scale community open spaces like pocket parks and community gardens. A more comprehensive revamp following the

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completion of the open space addendum may be warranted. HB said she'd like to see a presentation from Dan Cahill as to revisions once done.

SG noted the logo discussion for the legacy fund. Use the Urban Wilds logo as the basis, but perhaps include some more trees to reflect the 50% tree canopy goal. ZR noted the recent Wildways projects – it would be good to promote the city's conservation funds at work.

Update & Discussion

1. BHS PCB's

MW led the conversation and referred to the documents included in the packet. He displayed the document outlining PCB's in air per cubic nanogram. Building F at BHS has notably elevated levels. He pointed out the EPA website link for additional info for PCB screening. There are guidelines for levels within various types of schools. He pointed to information on analysis done in VT in 2014. He pointed to the EPA guideline and the SOV guideline. Different standards are based on lengths of exposure.

(DM appeared at 5:56).

ZR, are other states as stringent as VT? MW, both NH and ME use different calculations. They use a different cancer tolerance.

MW, there are considerations as to social and mental health implications in keeping a thousand kids out of BHS. DM said he's heard grumblings about how low VT's tolerance is. He said that you don't change a standard just to achieve an immediate goal. We shouldn't change this PCB standard just to reopen BHS.

ZR, do you have any sense of what VT Department of Health feels about this standard? Seemingly, lots of schools in VT would have similar results. We found it in BHS as part of pre-demolition assessment. MW, SOV is not wavering on the number.

RC, do you have a sense as to whether these contaminants are becoming more mobile? MW, the window caulking was installed in 1963. Off-gassing was likely more when it was newer.

ZR said we're in an odd situation where the testing has been done, a problem found, and there's no solution to address it.

JL, what exactly is our role in this situation? MW, it's outside of our purview. We're just discussing it. We're not decision makers in this matter.

2. Lakeshore setbacks and buffer zone

SG overviewed the front yard setback alternative idea and potential revision to the shoreland buffer standards. Both would require amendments to the city's zoning code, so both would require review and approval by the Planning Commission and the City Council.

The city has a 75' waterfront setback that applies to properties along the lakeshore in the waterfront residential districts, which comprise much of the Lake Champlain waterfront. Much of the remaining waterfront is RCO zoned, which precludes much of any development at all. Within the residential districts, the front yard setback is based on the average of neighboring homes. Within most neighborhoods, this setback works well and preserves the pattern of development along the street. Along the waterfront, particularly Sunset Cliff and Starr Farm Beach, and to a lesser degree, within South Cove, the properties vary in depth due to the irregular shoreline and variation in the roadway. As a result, using the average front yard setback provision can result in some oddities, including overlaps with the lakeshore setback or pushing development closer than necessary to the lakeshore. The proposal is fairly simple and amounts to an alternative front yard setback for shoreline properties. The exact number needs to be determined, but for example, if a shoreline residence is setback 50' or more from the road, it may utilize a front yard setback of 50' rather than the average setback. Such an alternative would have enabled the addition we

saw on Sunset Cliff last month to be built on the inland side of the existing home rather than closer to the lakeshore.

The riparian and littoral conservation zone extends 250' inland from the 95.5' lakeshore elevation. Unlike the 75' setback, it does not preclude development. Rather, it requires review of development under certain standards aimed at tree retention, stormwater management, and erosion control. In discussing the city's standards with Misha Center at VT ANR recently, the city's standards are pretty similar to the state's shoreland standards when it comes to redevelopment. Basically, existing conditions cannot be made worse. In the case of Burlington, most lakeshore properties are already developed and commonly have open grass with limited tree cover to the water. Unlike the state, the city has a 400 sf threshold for stormwater and erosion control review. There is opportunity to bring about improvement to existing conditions if the zoning code is amended to articulate a specific threshold for doing so. The flood zone standards could serve as a model. For properties undergoing "substantial improvement" (50% or more of the value of the building), they must come into compliance with the flood zone standards and elevate the building. A threshold could be established for development within the lakeshore buffer that triggers some degree of shoreline naturalization. The specifics need to be figured out, but that would be the general model.

DM and RC said they'd volunteer to help more this forward. DM said it's a good response to the problems we encountered last meeting.

ZR said that Misha said he thinks Burlington is doing a good job. He can point to Burlington as an example of a community going above and beyond. She also said the State's standards also address protection of aquatic habitat.

SG said he'd aim to have something drafted in the next month or two and wrap in DM and RC.

Adjournment

RR asked when open space is going to City Council. SG responded about the communication that was provided to them this past summer.

TH asked whether recusal was necessary if an application is within her ward. SG said no, unless it's a neighboring property.

HB clarified that the next meeting is November 2 and that she cannot attend due to election duties.

The meeting adjourned at 6:25 PM.